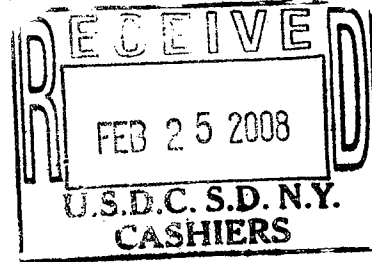


08 CV 01850

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



PARK AVENUE CONSULTING GROUP, INC.,

Plaintiff,

NOTICE OF REMOVAL

v.

NEWGOLD INC. AND FIRSTGOLD CORP.,

Civ. No. _____

Defendants.

TO THE UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK:

Defendants, NewGold Inc. and FirstGold Corp., hereby serve notice of the removal of this civil action to the United States District Court for the Southern District of New York pursuant to 28 U.S.C. §§1441 and 1446, and in support thereof state as follows:

1. On or about November 30, 2007, this action was commenced against Defendants by the filing of a Summons with Notice in the Supreme Court of the State of New York in and for the County of New York (Civil Action No. 07/603960). A copy of Plaintiff's Summons with Notice is attached hereto as Exhibit A.

2. On or about January 29, 2008, Defendants were served with a copy of the Summons with Notice by personal delivery in the State of California.

3. No other proceedings have been had in this action.

4. The above-captioned action is one of which this Court has original jurisdiction pursuant to 28 U.S.C. §1332, and is one which may be removed to this Court by the Defendants pursuant to the provisions of 28 U.S.C. §1441 in that it is a civil action wherein the

matter in controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs, and is between citizens of different states.

5. Regarding the value of the case, Plaintiff's Summons with Notice alleges damages in the amount of \$2,880,000. (See Exhibit A).

6. With respect to diversity of citizenship, Plaintiff is a business corporation incorporated under the laws of the State of New York, with a principal place of business in the State of New York; Defendants are business corporations incorporated under the laws of the State of Delaware, with a principal place of business in the State of California.

7. Based upon the foregoing, it is respectfully submitted that there is complete diversity of citizenship among the Plaintiff and the Defendants in this action.

8. Defendants' time to answer or move with respect to the complaint has not expired.

9. This Notice of Removal is being filed within thirty (30) days after receipt by Defendant of a copy of the summons with notice and is timely filed under 28 U.S.C. §1446.

10. Written notice of the filing of this Notice of Removal will be served upon the plaintiff as required by law.

11. A true copy of this Notice of Removal will be filed with the Clerk of the Supreme Court of the State of New York for the County of New York as provided by law.


WHEREFORE, Defendants give notice that this action is removed from the Supreme Court of the State of New York for the County of New York to this Court.

Dated: New York, New York
February 25, 2008

Yours, etc.,

BIEDERMANN, REIF, HOENIG & RUFF,
P.C.

By:



Peter H. Cooper, Esq. (PHC4714)
Attorneys for Defendants
570 Lexington Avenue, 16th Floor
New York, New York 10022
Telephone: (212) 697-6555

John N. Blair, Esq.
J. Michael Lennon, Esq.
BLAIR & ROACH, LLP
Attorneys for Defendants
2645 Sheridan Drive
Tonawanda, New York 14150
Telephone: (716) 834-9181

TO: Levey, Filler, Rodriguez Kelso &
DeBianchi, LLP
41-26 27th Street, Suite 3D
Long Island City, New York 11101-3825
Telephone: (718) 340-3614

Exhibit A

Supreme Court of the State of New York
County of New York

-----X		SUMMONS WITH NOTICE
)	
PARK AVENUE CONSULTING GROUP INC.,)	Index No. 07/603960
)	
Plaintiff,)	Plaintiff designates NY County
)	as the place of trial.
v.)	
)	The basis of the venue is long-arm
NEWGOLD INC. and FIRSTGOLD CORP.)	jurisdiction and the parties' choice of
)	law clause.
)	
Defendants.)	Date Index No. Purchased:
-----X		November 30, 2007

To the above named Defendants:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to appear in this action by serving a notice of appearance on the plaintiff at the address set forth below, and to do so within 30 days after the service of this summons (not counting the day of service itself) or within 30 days after service is complete if the summons is not delivered personally to you within the state of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to appear, a judgment will be entered against you by default for the relief demanded below.

Dated, November 30, 2007

Levey, Filler, Rodriguez Kelso &
DeBianchi LLP
41-26 27th Street Suite 3D
Long Island City, NY 11101-3825
TEL (718) 340-3614
FAX (718) 340-3615
dfiller@dlz.mailstreet.com

Defendant's address:
3108 Gabbott Drive, Suite 210
Cameron Park, CA 95682

Notice: The nature of this action is breach of a commercial contract.

The relief sought is the issuance of warrants/shares or the dollar equivalent thereof.

Upon your failure to appear, judgment will be taken against you by default for the sum of \$2,880,000 with interest from November 30, 2007 and the costs of this action.

01/29/2008 08:46 65183/4519

Supreme Court of the State of New York
County of New York

PARK AVENUE CONSULTING GROUP INC.

Plaintiff,

v.

NEWGOLD INC. and FIRSTGOLD CORP.

Defendants,

Index No. 07/603960

SUMMONS WITH NOTICE

November 30, 2007
Queens, NY

Levey, Filler, Rodriguez Kelso &
DeBianchi LLP
41-26 27th Street
Suite 3D
Long Island City, NY 11101-3825

By: David F. Filler
David F. Filler

Rule 130, etc.:
By: David F. Filler
David F. Filler

To:
NEWGOLD INC. and FIRSTGOLD CORP.
3108 Gabbott Drive, Suite 210
Cameron Park, CA 95682